

**RECORD OF PROCEEDINGS
OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

Page No.2007-75
September 17, 2007

The City Council of the City of Gardner, Kansas, met in special session on Monday, September 17, 2007, at 7:00 P.M. in the Council Chambers at Gardner City Hall, 120 East Main Street, Gardner, Kansas, with the Honorable Mayor, Carol Lehman presiding. Present were Councilmembers Winters, Breen, Raney, Drovetta and Shepherd. City Staff present were City Administrator Fairburn, Assistant City Administrator Mundt, Public Works Director Greene, Community Development Director Sherman, Public Safety Director Francis, Park and Recreation Director Stewart, City Attorney Hubbard and City Clerk Anderson. Others present included those listed on the attached sign in sheet and others who did not sign in.

CALL TO ORDER

There being a quorum of Councilmembers present, the meeting was called to order by Mayor Lehman at 7:01 PM.

PLEDGE OF ALLEGIANCE

The Morning Glory 4-H Club led those in attendance in the Pledge of Allegiance.

PRESENTATION

Council joined with the Mayor in recognizing October 7-13, 2007 as National 4-H Week. Michelle Thomas from the Morning Glory 4-H club spoke on behalf of the club.

Council joined with the Mayor in proclaiming the Week of October 7-13, 2007 as Public Power Week. Mayor thanked David Greene and David Franq for their hard work.

PUBLIC COMMENTS

Eric Kirkendall, 25865 W. 167th, stated that in political differences, the other side is often perceived as bad. Kirkendall stated that he assumes that those who do not agree with him, haven't read as much as he has. Kirkendall presented Council with a pack of information regarding the health hazards that can surround industrial areas. Kirkendall read highlights of the packet to the Council. Kirkendall stated that he hasn't heard a lot of talk from Council regarding health concerns and asked the Council to address the issue.

Teri Lois Gregory, member of Representative Kiegerl's office, relayed a message of congratulations on a job well done pertaining to the Festival on the Trials.

Linda Meisinger, 25800 W. 199th, owner of The Dolphin Song, inquired about the possibility of amending a motion that is on the floor. Hubbard explained the two ways that a motion can be amended. Meisinger then stated that on September 10, 2007 Councilman Shepherd made a motion and asked for assistance on the motion. Meisinger stated that this is an example of pushing personal agendas and that the Mayor, City Administrator and Legal Council should have been able to give Shepherd assistance with the motion. Meisinger stated that she spoke to a representative of the Allen Group after the last meeting. Meisinger stated that the Allen Group's bottom line is money. Meisinger stated that the citizens who helped at the 150th Celebration gave of themselves, not their money as did groups like the Allen Group. Meisinger stated that the City is not for sale.

Jim Dean, 3170 W. 159th, told Council that he had good news. Dean was the Co-Chair of the Sesquicentennial Committee. Dean stated that the Festival was a success. Dean stated that during the last 18 months he has discussed the Festival with City employees and that their concerns were the safety and the enjoyment of the citizens who would visit the festival.

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Dean wanted to specifically recognize the following: Janet Hackney, Jeff Stewart, Melissa Mundt, Mary Beth Bush, Jody Demaline, Rob Kirk, Sean Swartz and McKinlee Gibson. Dean stated that the electric crew did a super job. Dean thanked Peter Solie for his work and stated that he was a very valuable member of the team. Dean urged Council to keep the highly qualified staff in Gardner.

Lehman thanked Dean for his comments and stated that in two weeks, the 150 Committee and the Festival Committee will be honored.

Peter Solie, 38860 W. 199th, seconded Dean's remarks. Solie also added praise to the Citizens who attended the festival.

CONSENT ITEMS

Councilmember Breen made a motion to approve the Consent Agenda.

1. Standing approval of the minutes as written for the regular meeting on September 4, 2007.
2. Standing approval of the minutes as written for the special meeting on September 10, 2007.
3. Standing approval of the expenditures prepared on August 31, September 6 and September 7, 2007 in the amount of \$3,126,512.10.
4. Consider authorizing the City Administrator to extend the contract for pest and rodent control services for City buildings.
5. Consider the Acceptance of Easements and Rights-of-Way for the Final Plat for Austin Reserve; FP-07-12
6. Consider the Acceptance of Easements and Rights-of-Way for the Final Plat for Auburn Hills; FP-07-137.
7. Consider accepting a temporary construction easement for the Lincoln Lane Street Improvement Project.
8. Consider accepting and authorizing payment for rights-of-way and easements for the East Santa Fe Relocation Project, PW 0409.
9. Consider accepting and authorizing payment for rights-of-way and easements for the Moonlight Road and Main Street Intersection Project, PW 0410.
10. Consider accepting and authorizing payment for rights-of-way and easements for the North Moonlight Road Project, PW 0506.

Councilmember Drovetta seconded the motion.

All the members in favor of the motion, the motion carried.

NEW BUSINESS

Rezoning Portion of Granite Springs

Councilmember Drovetta made a motion to pass Ordinance 2244 Rezoning a portion of Granite Springs, located on the northeast corner of the 167th Street and Waverly road intersection from A to CP2/C-O;Z-07-05 (PDP-07-04) with the stipulations notes in the Council Action Form.

Councilmember Breen seconded the motion.

On a roll call the vote was: Winters, Yes; Breen, Yes; Raney, Yes; Drovetta, Yes; Shepherd, Yes. With all of the members voting in favor of the motion, the ordinance was passed and assigned **Ordinance No. 2244.**

Kansas Municipal Investment Pool

Councilmember Drovetta made a motion to adopt Resolution 1734 repealing Resolution No. 1678 of the City of Gardner, Kansas and establishing an account with the State of Kansas Municipal Investment Pool.

Councilmember Breen seconded the motion.

On a roll call the vote was: Winters Yes; Breen, Yes; Raney, Yes; Drovetta, Yes; Shepherd, Yes. With the all of the members voting in favor of the motion, the resolution was adopted and assigned **Resolution No. 1734.**

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Emergency Traffic Signal for Public Safety Building

Councilmember Raney made a motion to authorize the City Administrator to execute a contract with Teague Electric for the construction of an emergency signal for the Public Safety building on Main Street in an amount not to exceed \$56,960.

Councilmember Breen seconded the motion.

All the members in favor of the
motion, the motion carried.

Air Compressor for Public Safety Station No. 2

Councilmember Shepherd made a motion to authorize the City Administrator to purchase a Mini Unicus 6000 PSI/10 HP 3 PH with CO monitor and remote fill for Public Safety Station No. 2 from Conrad Fire Equipment.

Councilmember Drovetta seconded the motion.

All the members in favor of the
motion, the motion carried.

Lehman stated that the City has received a letter from the Postal Service opening up bidding to look for land. There perimeters are 167th on the North, I-35 on the South, Moonlight on the Easter and Waverly on the West. Lehman stated that if anyone is interested they should contact the Post Office.

Lehman echoed Dean's remarks about City Staff. Lehman stated that the staff did great job at the festival and that she was so proud. Lehman stated that it is amazing what a small town can do with organization and attention to detail.

Breen stated that the City needed the festival at this time. Breen stated that the festival was a great success. Breen informed Council that he was impressed with staff as were the stage managers and sound people. Breen stated that the stage managers and sound people have asked to be invited back for next year's festival. Breen recognized Teresa Anderson, Jeff Stewart, Rob Kirk, Melissa Mundt and the Public Safety officers for their participation. Breen estimated that there were between 6,000 to 7,000 attendees and that 90% were Gardner residents.

Drovetta concurred with the statements made about the success of the festival. Drovetta stated that it was summed up for him when he watched a lady who had smiling eyes and was singing as she watched the fireworks.

Winters stated that the festival was a success.

Stewart stated that the Parks and Recreation department was presented with a \$2,000 check for the Boo Bash from Wal-Mart.

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Mundt stated that she would like to give a personal thanks to everyone that helped her with the festival. Mundt stated that Public Safety was phenomenal and that Rob Kirk stepped up greatly. Mundt stated that Jo Dee Messina was left with a fabulous impression to take back to Nashville. Mundt stated that Parks, Streets, and the Electrical staffs kept everything going. Mundt offered thanks to the staff that works directly with Fairburn and herself. Mundt stated that they put in countless hours and worked day and night to get it all done. Mundt stated that had she not had the resources to draw on, the festival would not have happened.

Lehman stated that the stage crew was shocked with the organization of the City crew because it was the first festival.

Mundt stated that the best comment she received was from Messina who couldn't believe that it was the first year for the festival.

Lehman stated that she is looking forward to comments from the vendors and artists. Mundt stated that she will give the Chamber all of the marketing information that is compiled.

Lehman thanked all of the vendors, churches, and the people who came.

There being no further business to come before the Council, on a motion duly made and seconded, the meeting adjourned at 8:13 PM

Teresa Anderson, City Clerk